

FULBRIGHT & JAWORSKI L.L.P.

A REGISTERED LIMITED LIABILITY PARTNERSHIP
666 FIFTH AVENUE, 31ST FLOOR
NEW YORK, NEW YORK 10103-3198
WWW.FULBRIGHT.COM

RECEIVED
JUN 16 2004**OFFICIAL****FACSIMILE TRANSMISSION****DATE:** June 16, 2004**MATTER NUMBER:** 10017134
(LUD 5664)

RECIPIENT(S):	FAX NO.:	PHONE NO.:
Examiner Phillip Gambel USPTO - Group 1644	1571 273-0844 and 1703 872-9306	1571 272-0844

FROM: Norman Hanson**USER ID:** NH01030 **FLOOR:** 24**PHONE:** (212) 318-3168**FAX:** (212) 318-3400**RE:** Serial No.: 09/626,617**NUMBER OF PAGES WITH COVER PAGE:** 3**Message:****CAUTION - CONFIDENTIAL**

THE INFORMATION CONTAINED IN THIS FACSIMILE IS CONFIDENTIAL AND MAY ALSO CONTAIN PRIVILEGED ATTORNEY-CLIENT INFORMATION OR WORK PRODUCT. THE INFORMATION IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHOM IT IS ADDRESSED. IF YOU ARE NOT THE INTENDED RECIPIENT, OR THE EMPLOYEE OR AGENT RESPONSIBLE TO DELIVER IT TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY USE, DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS FACSIMILE IN ERROR, PLEASE IMMEDIATELY NOTIFY US BY TELEPHONE, AND RETURN THE ORIGINAL MESSAGE TO US AT THE ADDRESS ABOVE VIA THE U.S. POSTAL SERVICE. THANK YOU.

IF YOU DO NOT RECEIVE ALL OF THE PAGES, PLEASE CALL
FANI MALIKOUZAKIS AT 212-318-3220 AS SOON AS POSSIBLE.

LUD 5664 (10017134)**CERTIFICATE OF FACSIMILE TRANSMITTAL**

I hereby certify that this correspondence is being transmitted via telecopy pursuant to 37 CFR 1.8 to **Group 1644, Examiner Phillip GAMBEL** of the United States Patent & Trademark Office at (571) 273-0844 and (703) 872-9306 on June 16, 2004.

Fani Malikouzakis
(Name of Transmitter)

Fani Malikouzakis
(Signature)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Laure DUMOUTIER et al.
Serial Number : 09/626,617
Filing Date : July 27, 2000
For : METHODS FOR STIMULATING STAT3
TRANSCRIPTION FACTOR WITH IL-TIF/IL-21
Art Unit : 1644
Examiner : Phillip GAMBEL

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**REQUEST FOR OFFICE ACTION TO BE VACATED AS INCOMPLETE
AND NEW ACTION TO ISSUE**

SIR:

The final rejection of June 14, 2004 has been reviewed. It is incomplete, and applicants are entitled to a complete, correct Office Action.

One of the issues raised by the Examiner was an alleged lack of entitlement to a priority claim.

See the September 23, 2003 Office Action, point 2.

Applicants contested this assertion. See page 5 of their amendment, third and fourth paragraphs.

LUD 5664 (10017134)

The final rejection does not address this argument, and merely reiterates the prior position taken by the Examiner even though applicants specifically requested an explanation should the Examiner disagree.

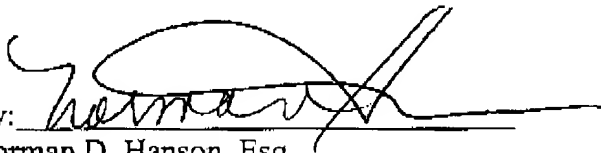
Further, there are gaps in the rejection at page 7, last two lines (the sentence is incomplete), and page 11, the paragraph beginning "(c)", (incomplete), and the rejection under 35 U.S.C. § 102(e) is directed to canceled claims.

As such, the action is incomplete. A new action is called for, with a re-set due date.

Should the Examiner disagree, a discussion with the Group Director is sought.

Respectfully submitted,

FULBRIGHT & JAWORSKI, L.L.P.

By: 
Norman D. Hanson, Esq.
Registration No. 30,946
666 Fifth Avenue
New York, New York 10103-3198

(212) 318-3000
(212) 318-3400 (fax)